

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
05-CV-1978 (JMR/AJB)

Allan, Hardy)	
)	
v.)	ORDER
)	
MCF St. Cloud Mailroom)	
* Inmate Accounts St. Cloud)	

Plaintiff objects to the Report and Recommendation, issued February 9, 2005, by the Honorable Arthur J. Boylan, United States Magistrate Judge. The Magistrate recommended denying plaintiff's motion to proceed in forma pauperis, and dismissing this action pursuant to 28 U.S.C. § 1915A(b)(1). Plaintiff's objections to the Report were timely filed pursuant to Local Rule 72.2(b).

Based upon a de novo review of the record herein, the Court adopts the Magistrate's Report and Recommendation [Docket No. 32]. Accordingly, IT IS ORDERED that:

1. Plaintiff's motion to proceed in forma pauperis [Docket No. 2] is denied.
2. This action is dismissed pursuant to 28 U.S.C. § 1915A(b)(1).
3. Plaintiff is required to pay the full balance of the Court filing fee, namely the full \$250, in accordance with 28 U.S.C. § 1915(b)(2).

4. The dismissal of this action is counted as a "strike" against plaintiff for purposes of 28 U.S.C. §1915(g).

Dated: October 24th, 2005

s/ JAMES M. ROSENBAUM
JAMES M. ROSENBAUM
United States Chief District Judge